

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

KATHY E. VICARS

v.

SECRETARY OF THE DEPARTMENT  
OF VETERANS AFFAIRS

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Civil No. JFM-00-2613

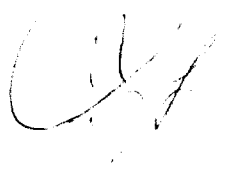
MEMORANDUM

Plaintiff has filed this pro se action for employment discrimination, alleging that she was confronted with a hostile environment. Defendant has filed a motion to dismiss or for summary judgment. Plaintiff has filed an opposition to the motion.<sup>1</sup>

There is a substantial question whether plaintiff's claim is timely. However, assuming that it is, it is clear that plaintiff has no claim whatsoever. Although she asserts discrimination on the basis of her gender and race (Caucasian), her complaint and her opposition to defendant's motion made clear that the hostility of which she complains stems from an intra-union dispute to which her gender and race are immaterial. Moreover, plaintiff has alleged no actionable adverse action that was taken against her.

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<sup>1</sup>Plaintiff's opposition is entitled "Motion to Compell [sic]." It does not appear that she served a copy upon defense counsel. In the ordinary course I would direct that the motion be returned to plaintiff, advising her that her opposition will not be accepted for filing until she sends a copy of it to defense counsel and so certifies. However, in light of the fact that plaintiff's opposition does not set forth any meritorious ground for denying defendant's motion, I will direct that the Clerk accept it for filing and place it in the file.



A separate order is being entered herewith treating defendant's motion as one for summary judgment and granting it as such.

Date: July 7, 2001

J. Frederick Motz  
United States District Judge